

House Engrossed Senate Bill

FILED

**MICHELE REAGAN
SECRETARY OF STATE**

State of Arizona
Senate
Fifty-third Legislature
First Regular Session
2017

**CHAPTER 260
SENATE BILL 1253**

AN ACT

AMENDING TITLE 38, CHAPTER 8, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 38-1116; RELATING TO LAW ENFORCEMENT OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 38, chapter 8, article 1, Arizona Revised
3 Statutes, is amended by adding section 38-1116, to read:

4 38-1116. Use of force incident investigation; right to view
5 recorded video; statement

6 A. IN AN ADMINISTRATIVE INVESTIGATION OF A LAW ENFORCEMENT
7 OFFICER'S USE OF FORCE INCIDENT THAT RESULTED IN A DEATH OR SERIOUS
8 PHYSICAL INJURY TO ANOTHER PERSON, IF THE LAW ENFORCEMENT OFFICER RECORDED
9 A VIDEO, BOTH OF THE FOLLOWING APPLY:

10 1. THE ADMINISTRATIVE INVESTIGATION IS NOT COMPLETE UNTIL AFTER THE
11 OFFICER HAS AN OPPORTUNITY TO VIEW THE RECORDED VIDEO AND PROVIDE ANY
12 FURTHER INFORMATION REGARDING THE FOOTAGE THAT THE OFFICER BELIEVES IS
13 RELEVANT.

14 2. THE LAW ENFORCEMENT OFFICER MUST BE READ THE FOLLOWING NOTICE
15 BEFORE VIEWING THE RECORDED VIDEO:

16 VIDEO EVIDENCE HAS LIMITATIONS AND MAY DEPICT EVENTS
17 DIFFERENTLY THAN YOU RECALL. THE VIDEO EVIDENCE MAY ASSIST
18 YOUR MEMORY AND MAY ASSIST IN EXPLAINING YOUR STATE OF MIND AT
19 THE TIME OF THE INCIDENT. VIEWING VIDEO EVIDENCE MAY OR MAY
20 NOT PROVIDE ADDITIONAL CLARITY TO WHAT YOU REMEMBER. YOU
21 SHOULD NOT FEEL IN ANY WAY COMPELLED OR OBLIGATED TO EXPLAIN
22 ANY DIFFERENCE IN WHAT YOU REMEMBER AND ACTED ON FROM WHAT
23 VIEWING THE ADDITIONAL EVIDENCE PROVIDES YOU.

24 B. THIS SECTION DOES NOT PROHIBIT A LAW ENFORCEMENT AGENCY FROM
25 ADOPTING A POLICY OR RULE THAT RELATES TO A LAW ENFORCEMENT OFFICER'S
26 REVIEW OF THAT OFFICER'S RECORDED VIDEO.

APPROVED BY THE GOVERNOR MAY 2, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 2, 2017.

Passed the House April 17, 2017,

Passed the Senate February 22, 2017,

by the following vote: 56 Ayes,

by the following vote: 19 Ayes,

2 Nays, 1 Not Voting
Vacant

11 Nays, 0 Not Voting

[Signature]
Speaker of the House
[Signature]
Chief Clerk of the House

[Signature]
President of the Senate
[Signature]
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

S.B. 1253

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~


~~_____
Secretary of State~~

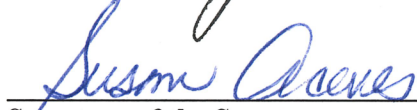
SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 26, 2017

by the following vote: 22 Ayes,

6 Nays, 2 Not Voting


President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

26th day of April, 2017

at 11:57 o'clock A. M.


Secretary to the Governor

Approved this 2nd day of

May 2017

at 9:51 o'clock A. M.


Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 2 day of May, 2017

at 12:35 o'clock P. M.


Secretary of State